

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

<b>In re:</b>	*	
<b>VIJAY K. TANEJA, <i>et al.</i>,<sup>1</sup></b>	*	<b>Case No: 08-13293-SSM</b>
<b>Debtors,</b>	*	<b>Chapter 11</b>
*   *   *   *   *	*	<b>Jointly Administered</b>
<b>H. JASON GOLD, Chapter 11 Trustee</b>	*	
<b>Plaintiff,</b>	*	
<b>v.</b>	*	<b>Adv. Proc. No. 10-01223</b>
<b>TERWIN ADVISORS, LLC,</b>	*	
<b>TERWIN WAREHOUSE</b>	*	
<b>MANAGEMENT, LLC,</b>	*	
<b>TERWIN MORTGAGE WAREHOUSE</b>	*	
<b>TRUST, I</b>	*	
<b>and</b>	*	
<b>TERWIN MORTGAGE WAREHOUSE</b>	*	
<b>TRUST, II,</b>	*	
<b>Defendant.</b>	*	
*   *   *   *   *   *	*	*   *   *   *   *

**JUDGMENT ORDER**

Upon the Motion for Default Judgment (the “Motion”) filed by H. Jason Gold (the “Trustee” or “Plaintiff”), the Chapter 11 Trustee for the estates of the above-captioned debtors, by undersigned counsel, the Court makes the following findings of fact and conclusions of law:

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<sup>1</sup>The Debtors in these jointly administered cases include Elite Entertainment, Inc. (08-13286-SSM), Financial Mortgage, Inc. (08-13287-SSM), NRM Investments, Inc. (08-13290-SSM), Taneja Center, Inc. (08-13292-SSM), and Vijay K. Taneja (08-13293-SSM).

**Findings of Fact**

1. The Trustee commenced this action against Terwin Advisors, LLC, Terwin Warehouse Management, LLC, Terwin Mortgage Warehouse Trust, I, and Terwin Mortgage Warehouse Trust, II (collectively, the “Defendants”) by filing a Complaint to Avoid Transfers Recover Property and for Related Relief (the “Complaint”) on June 8, 2010.

2. The Complaint seeks avoidance of the transfers to or for the benefit of the Defendants as identified on Exhibit 1 and Exhibit 2 of the Complaint.

3. On June 22, 2010, Plaintiff served the Complaint on all Defendants.

4. Defendants did not file an answer or otherwise respond to the Complaint.

5. On July 16, 2010, Plaintiff filed the Motion and mailed a copy to the Defendants along with the Notice of Hearing on the Motion.

6. Defendants did not respond to the Motion.

7. On August 20, 2010, the Court held a hearing on the Motion, at which the Defendants did not appear.

**Conclusions of Law**

A. The Complaint and Motion were properly served on Defendants.

B. The Defendants are in default, the Plaintiff is entitled to judgment on the Complaint as requested in the Motion and the Motion is granted.

C. The transfers identified in Exhibit 1 to the Complaint are hereby avoided pursuant to 11 U.S.C. § 548.

D. The transfers identified in Exhibit 2 to the Complaint are hereby avoided pursuant to 11 U.S.C. § 544 and Va. Code § 55-80 55-81, as applicable.

Accordingly, pursuant to 11 U.S.C. § 550 and Va. Code § 55-82, judgment is hereby entered as against the Defendants as follows:

- a. against Terwin Advisors, LLC, in the amount of \$3,151,660 plus \$250.00 costs and post-judgment interest as allowed by law;
- b. against Terwin Warehouse Management, LLC, in the amount of \$314,313.23 plus \$250.00 costs and post-judgment interest as allowed by law; and
- c. against Terwin Mortgage Warehouse Trust, I and Terwin Mortgage Warehouse Trust, II in the amount of \$457,604,673.06, jointly and severally, plus \$250.00 costs and post-judgment interest as allowed by law.

This matter having been fully adjudicated, the Clerk is hereby directed to close this adversary proceeding.

Entered: \_\_\_\_\_

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United States Bankruptcy Judge

I ASK FOR THIS:

/s/ Christopher A. Jones  
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*Special Counsel for H. Jason Gold, Chapter 11 Trustee*

#### **LOCAL RULE CERTIFICATIONS**

Pursuant to Local Rule 9022, I hereby certify that all necessary parties have endorsed this order.

/s/ Christopher A. Jones  
Counsel

Service List

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